IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and

THE HON'BLE MR JUSTICE GODA RAGHURAM

-

WRIT APPEAL NO : 1024 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31/03/2004 in WP NO: 5943 OF 2004 on the file of the High Court.)

Between:

1 Mrs.Matta Mangamma W/o Late Matta Veer Raju,
Divancheruvu Rajanagaram, East Godavari District
2 Matta Naresh S/o Late Matta Veer Raju
Divancheruvu Rajanagaram, East Godavari District

..... APPELLANTS

AND

1 The General Manager, Andhra bank (Personal Department)
Central Office, Sultan Bazar, Hyderabad
2 The General Manager, Andhra Bank, Lalacheruvu Branch,
Rajanagaram Mandal, East Godavari District

.....RESPONDENTS

Counsel for the Appellants: MRS.S.NANDA

Counsel for the Respondent No.1 and 2: MR.NUTY RAM MOHAN RAO

The Court at the admission stage made the following :

THE HON'BLE SRI JUSTICE J. CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT APPEAL NO. 1024 OF 2004

JUDGMENT: (Per Hon'ble Sri Justice Goda Raghuram)

The 1st appellant is the writ petitioner and the widow of late Matta Veera Raju who worked as sub-staff in Andhra Bank from the year 1989. The 2nd appellant is the son of the 1st appellant. The husband of the 1st appellant was in the approved panel of temporary sub-staff for consideration for regular employment. Even before he came up for regular employment, he died on 28-01-2004. The appellants made a representation dated 21-02-2004 to the respondent-bank for compassionate appointment. Since no relief was forthcoming, they filed the Writ Petition No. 5943 of 2004. The learned single Judge of this Court dismissed the writ petition concluding that as the deceased-employee was not a regular employee of the respondent-bank either in the subordinate, clerical or officer cadre, whether confirmed or on probation, the writ petitioners as dependents were not entitled to compassionate appointment.

The appellants reiterated the same grounds, which were unsuccessful before the learned single Judge. As the deceased-employee was not a regular employee in the bank and, according to the modified scheme of the bank, an employee is defined as a regular employee whether in the subordinate, clerical or officer cadre,

whether confirmed or on probation and whether working full time or part time, but does not include a temporary or a casual employee, the appellants are not entitled to the benefits of compassionate appointment.

In the circumstances, no interference is warranted. The Writ Appeal is dismissed, at the stage of admission.

J. CHELAMESWAR, J.

GODA RAGHURAM, J.

19th July, 2004

bud/mrk

To

1. The General Manager, Andhra Bank (Personal Department) Central Office, Sultan Bazar, Hyderabad.
2. The General Manager, Andhra Bank, Lalacheruvu Branch, Rajanagaram Mandal, East Godavari District.
3. 2 CD copies